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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,953	02/01/2001	Hiroshi Ono	P/647-137	9136

7590 06/27/2005

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EXAMINER	
NGUYEN, DUC M	

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,953	ONO, HIROSHI	
	Examiner	Art Unit	
	Duc M. Nguyen	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *07 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,6,9-11,19 and 22-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1, 6, 9-11, 19, 22-24* is/are allowed.

6)☒ Claim(s) *25-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to applicant's response filed on 4/7/05. Claims 1, 6, 9-11, 19, 22-30 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims **25-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shimoda** et al (US **6,397,079**) in view of **Huttunen** et al (US **6,356,761**).

Regarding claim **25**, **Shimoda** discloses a radio terminal (cellular phone) with enhanced capabilities through the use of a computer (external server) which is used for converting data into another format such as language translation or encryption functions which may not be feasibly implemented in cellular phones of relatively small size (see **Abstract, col. 1, lines 55 – 65** and **col. 3, lines 18-35**), this would implicitly teach that the computer comprise

- a communication means (Infrared or RF) in order to exchange data with the phone;
- a memory in order to store data;
- a processor in order to process data;

- a computer program with instructions tailored to reconstruction capabilities of the phone (see col. 2, lines 19-23), in order to provide language translation or encryption functions for the phone.

However, Shimoda fails to disclose the data is acquired from the Internet network. However, such Internet acquisition is well known in the art as disclosed by Huttunen (see Fig. 3, col. 10, lines 5-15). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide the above teaching of Huttunen to Shimoda for downloading encrypt information from Internet as well, thereby providing a data conversion by the computer as claimed, for utilizing advantages of the Internet network such as low cost, global information available in real-time.

Regarding claims **26-27**, they are rejected for the same reason as set forth in claim 25 above. In addition, since **Huttunen** also teaches that the browser at the computer requests content information using a received universal resource locator URL (see col. 10, line 41 – col. 11, line 15), for utilizing IP addresses of local servers, it would have been obvious to one skilled in the art at the time the invention was made to further incorporate the above teaching of Huttunen to Shimoda, for utilizing location information of local servers into the URL address, for finding the desired local information on the Internet.

Regarding claim **28**, it is rejected for the same reason as set forth in claim 25 above. In addition, it is clear that **Shimoda** would obviously disclose the converted content (i.e, decrypted data or translated data) is transmitted to the cellular phone (see Shimoda, col. 3, lines 25-35, noting that the receiving encrypted data must be decrypted

by the computer).

Regarding claim **29**, it is rejected for the same reason as set forth in claim 25 above. In addition, it is clear that when receiving a command from user (voice activated or speech recognition dialing feature), **Shimoda** as modified would disclose the external server request and acquires the content from the Internet in response to the content acquisition request as claimed (see col. 2, line 25-40).

Regarding claim **30**, it is rejected for the same reason as set forth in claim 25 above. In addition, it is clear that the computer should monitor for any request received from the cellular phone before performing the requested action.

Allowable Subject Matter

2. Claims **1, 6, 9-11, 19, 22-24** are allowed.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 6, 9-11, 19, 22-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. **Any response to this final action should be mailed to:**

Box A.F.

Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to:

703-872-9314 (for formal communications intended for entry)

(571)-273-7893 (for informal or draft communications).

Any inquiry concerning this communication or communications from the examiner should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893, Monday-Thursday (9:00 AM - 5:00 PM).

Or to Edward Urban (Supervisor) whose telephone number is (571) 272-7899.

Duc M. Nguyen

June 18, 2005